

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER WOZNIAK,

Plaintiff,

-v-

WARNER BROTHERS ENTERTAINMENT, INC., ET
AL,

Defendants.

22 Civ. 8969 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

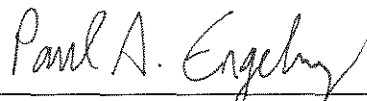
The Court heard argument today in the above-captioned case. This order follows up on issues that the Court probed with counsel at argument.

Specifically, the Court inquired when the statute of limitations began to run on D.C. Comics' claim of copyright infringement against Christopher Wozniak ("Wozniak"), based on an allegedly infringing story that Wozniak claims to have authored in or around 1990. Counsel for D.C. Comics responded that certain actions by Wozniak in or around 2022 could be found to be independent acts of copyright infringement. The Court directs counsel for each side to file, by Wednesday, January 24, 2024, a supplemental letter brief answering the following questions based on this theory:

- (1) Does a party commit an independent act of copyright infringement when it applies for copyright registration with the Copyright Office for a work which infringes another's copyright and as to which the party does not have a valid copyright?

(2) Does a party commit an independent act of copyright infringement when it files a lawsuit claiming copyright infringement of a work that itself infringed on another's copyright?

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: January 18, 2024
New York, New York